

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

---

SAVITRI BHAMA,

Plaintiff-Appellant,

v

DWIGHT TEACHWORTH,

Defendant-Appellee.

---

UNPUBLISHED

May 1, 2012

No. 303503

Oakland Circuit Court

LC No. 2002-042628-NM

Before: BORRELLO, P.J., and JANSEN and GLEICHER, JJ.

PER CURIAM.

Plaintiff appeals the trial court's order denying her motion to lift the stay on her legal malpractice claim against defendant. For the reasons set forth in this opinion, we reverse and remand for further proceedings.

This case arises from an employment dispute between plaintiff and her prior employer, the State of Michigan. As a result of an adverse employment action, plaintiff retained the services of defendant. At some point in that relationship, plaintiff became dissatisfied with the services rendered by defendant and brought an action against him. Shortly after plaintiff had done so, and while she was appealing her adverse employment action, the parties agreed to stay these proceedings. That stay was entered into in 2003 and was to remain in effect pending the conclusion of plaintiff's administrative appeal in Ingham Circuit Court. That proceeding concluded in February 2009, but plaintiff pursued applications for leave to appeal from both this Court and our Supreme Court before moving to lift the stay in December 2010.<sup>1</sup> The trial court found that plaintiff waited too long to resume her claim, and denied the motion. The trial court thereafter issued an order denying plaintiff's request to lift the stay "for the reasons stated on the record." This appeal ensued.

On appeal, plaintiff contends that the trial court should have lifted the stay so that the case could be resolved. "An exercise of the court's 'inherent power' may be disturbed only upon

---

<sup>1</sup> In her brief plaintiff also contends that she sought relief through the federal courts, including a writ of certiorari to the United States Supreme Court. However, plaintiff has not attached any such documentation to her brief and we are thus unable to verify this claim.

a finding that there has been a clear abuse of discretion.” *Brenner v Kolk*, 226 Mich App 149, 160; 573 NW2d 65 (1997). “An abuse of discretion occurs when the decision results in an outcome falling outside the range of principled outcomes.” *Barnett v Hidalgo*, 478 Mich 151, 158; 732 NW2d 472 (2007).

Michigan does not have a court rule that determines how long a case can remain stayed or how long a party has to have the stay lifted, but trial courts have other mechanisms they can use to manage their dockets and deal with cases that are not adequately progressing. See MCR 2.502. We note that the stay was to last until the ancillary proceeding concluded, which occurred in February 2009. This event has transpired, and absent any reason not to do so, we find that the stay must be lifted. Failure to do so would result in the trial court keeping the case on its docket indefinitely. Because the trial court did not intend to leave this case in a perpetual state of limbo, we are left with a firm belief that the trial court was of the opinion that it was being asked to reinstate the matter pursuant to MCR 2.502(C) rather than lift the stay agreed to by the parties and put into effect by the trial court’s predecessor. Consequently, we remand to the trial court for the sole purpose of lifting the stay.

Reversed and remanded for further proceedings. We do not retain jurisdiction. Plaintiff having prevailed is entitled to costs. MCR 7.219.

/s/ Stephen L. Borrello  
/s/ Kathleen Jansen  
/s/ Elizabeth L. Gleicher